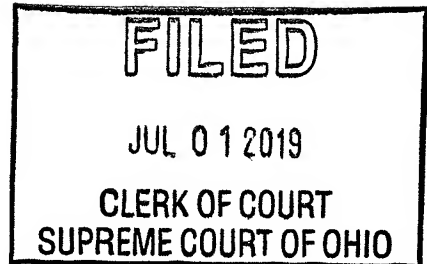


IN THE SUPREME COURT OF OHIO



IN THE MATTER OF:

CHARLES READER
PIKE COUNTY
SHERIFF

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CASE NO.

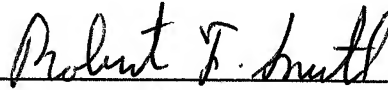
CHIEF JUSTICE MAUREEN
O'CONNOR

**MOTION OF STATE OF OHIO TO COMMENCE SUSPENSION PROCEEDINGS
AGAINST A PUBLIC OFFICIAL IN ACCORDANCE WITH OHIO REV. CODE 3.16**

Now comes the State of Ohio, by and through, Robert F. Smith, who, pursuant to Ohio Rev. Code 2941.63, is a specially assigned prosecuting attorney by appointment of the Court of Common Pleas for Pike County, Ohio in relation to certain matters involving Mr. Charles Reader, the Pike County Sheriff. The Sheriff a "public official" as defined by Ohio Rev. Code 3.16(A)(2). On June 28, 2019, Sheriff was indicted on four counts of Theft in Office, violations of Ohio Rev. Code 2921.41, Felonies of the Fourth and Fifth Degrees, two counts of Theft, a violation of Ohio Rev. Code 2913.02, a Felony of the Fifth Degree and a First Degree Misdemeanor, one count of Tampering with Evidence, a violation of Ohio Revised Code Section 2921.12, a Felony of the Third Degree, one count of Securing Writings by Deception, a violation of Ohio Revised Code Section 2913.43, a Felony of the Fifth degree, and one count of Tampering with Records, a violation of Ohio Rev. 2913.42, a Felony of the Third Degree. The indictment was filed in the Common Pleas Court for Pike County and has been assigned Case No. 2019CR000068 on the docket of said court.

The charges for which Sheriff Reader has been indicted are felonies relating to Sheriff Reader's administration of, or conduct in the performance of, the duties of the office of Sheriff. Consequently, the State of Ohio hereby transmits a copy of the charging document to the Chief Justice of the Supreme Court and hereby requests that suspension proceedings be commenced pursuant to Ohio Rev. Code 3.16.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Robert F. Smith", is written over a horizontal line.

ROBERT F. SMITH (0023434)

Pike County Special Prosecutor

88 East Broad Street, Ninth Floor

Columbus, Ohio 43215

Direct: (614) 728-7100

Counsel for the State of Ohio

MEMORANDUM OF LAW

I. INTRODUCTION

When a public official is charged with a felony which relates to the administration of that public official's office, R.C. 3.16 authorizes a commission to be established, pursuant to R.C. 3.16(C)(1), and that commission is authorized to suspend the public official from performing the public official's duties upon a finding by the commission that the facts and circumstances related to the felony criminal charges adversely affect the administration of the public office held by the official or the rights and interests of the public.

The term "public official," to which the statute applies, is defined at R.C. 3.16(A)(2) as "any elected officer of a political subdivision as defined in section 2744.01 of the Revised Code. 'Public official' does not include a judge of a court of record." The Sheriff is an elected officer of Pike County. Sheriff Reader was first appointed to this position in May of 2015, and was elected to this position in 2016. Counties are within the list of entities which meet the definition of "political subdivision," R.C. 2744.01(F).

The charges of Theft in Office, R.C. 2921.41, Theft, R.C. 2913.02, Tampering with Evidence, R.C. 2921.12, Securing Writings by Deception, R.C. 2913.43, and Tampering with Records, R.C. 2913.42 each meet the requirement of a felony that "relates to the administration of, or conduct in the performance of the duties of, the office of the public official." Sheriff Reader is charged with having committed multiple theft offenses as defined at R.C. 2913.01(K) in his position as the elected Sheriff of Pike County. This practice adversely affected the administration of Sheriff Reader's office and it adversely affected the public's rights and interests.

II. LAW AND ARGUMENT

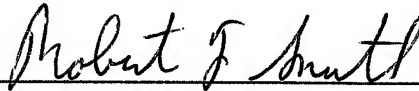
Once established by the Chief Justice pursuant to R.C. 3.16(D)(1), a special commission comprised of three retired judges shall make a preliminary determination of whether Sheriff Reader's administration of, or conduct in the performance of the duties of, his office, as Reader's administration of, or conduct in the performance of the duties of, his office, as covered by the charge, "adversely affects the functioning of [the office of Pike County Sheriff] or adversely affects the rights and interests of the public and, as a result, whether [Sheriff Reader] should be suspended from office." This is a statutory cause of action.

Although Sheriff Reader is charged with the crimes of Theft in Office, R.C. 2921.41, Theft, R.C. 2913.02, Tampering with Evidence, R.C. 2921.12, Securing Writings by Deception, R.C. 2913.43, and Tampering with Records, R.C. 2913.42, R.C. 3.16 is, in nature and substance, a civil proceeding. To prevail under R.C. 3.16, the State need only show by a preponderance of the evidence that Sheriff Reader's conduct, as alleged in the criminal indictment, adversely affected the functioning of the Office of Pike County Sheriff or adversely affect the rights and interests of the public. A certified copy of the indictment filed with the Pike County Common Pleas Court on June 28, 2019 charging Sheriff Reader with felony counts of Theft in Office, Tampering with Evidence, Theft, Securing Writings by Deception, and Tampering with Records, is attached hereto as (Attachment 1). Immediately following that document is the Affidavit and attached Prosecutor Case Summary of Michael Spiert, Chief Investigator for the Office of Auditor of State, detailing the results of the investigation into Sheriff Reader's conduct as Pike County Sheriff (Attachment 2).

III. CONCLUSION

For these reasons, the State of Ohio respectfully asks that the Chief Justice establish a special commission for the purpose of reviewing this memorandum, the attached Prosecution Summary and exhibits for the purpose of ruling on whether Mr. Charles Reader, the Pike County Sheriff should be suspended from office pursuant to R.C. 3.16.

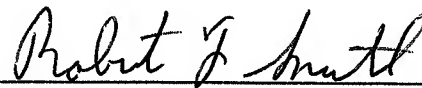
Respectfully Submitted,



ROBERT F. SMITH (0023434)
Pike County Special Prosecutor
88 East Broad Street, Ninth Floor
Columbus, Ohio 43215
Direct: (614) 728-7100
Counsel for the State of Ohio

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was hand delivered to Charles Reader, the 2nd day of July, 2019.



ROBERT F. SMITH (0023434)
Pike County Special Prosecutor

IN THE COURT OF COMMON PLEAS
PIKE COUNTY, OHIO

STATE OF OHIO,
Plaintiff

Vs.

Charles S. Reader,
Defendant

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Case No. 2019 CR 000068

Judge Randy D. Deering

INDICTMENT

The jurors of the Grand Jury of the State of Ohio, within and for the body of the County of Pike, on their oaths, in the name and by the authority of the State of Ohio, do find and present that:

COUNT ONE

CHARLES READER, on or about December 20, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, knowing that an official proceeding or investigation was in progress, or is about to be or likely to be instituted, did make, present, or use any record, document, or thing, knowing it to be false and with purpose to mislead a public official who is or may be engaged in such proceeding or investigation, or with purpose to corrupt the outcome of any such proceeding or investigation in violation of Section 2921.12(A)(2) of the Ohio Revised Code.

Tampering with Evidence- A felony of the third degree

COUNT TWO

CHARLES READER, on or about December 20, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, knowing he had no

FILED
COMMON PLEAS COURT
JUN 28 2019
JUSTIN P. BREWSTER
PIKE COUNTY CLERK



privilege to do so, and with purpose to defraud or knowing that he was facilitating a fraud, did utter a writing or record, knowing it to been tampered with, the writing or record being kept by or belonging to a local government entity in violation of Section 2913.42(A)(2) of the Ohio Revised Code.

Tampering with Records- A felony of the third degree

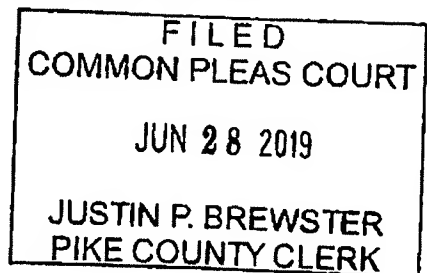
COUNT THREE

CHARLES READER, on or about December 20, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did knowingly commit a theft offense, to wit: Tampering with Records, in violation of Section 2913.42 of the Ohio Revised Code, **CHARLES READER** having used his office in aid of committing the offense, when the value of the property or services stolen is one thousand dollars (\$1,000.00) or more and is less than seven thousand five hundred dollars (\$7,500.00), in violation of Section 2921.41(A)(1) of the Ohio Revised Code.

Theft in Office- A felony of the fourth degree

COUNT FOUR

CHARLES READER, on or about August 19, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly use or authorize the use of the authority or influence of his office to secure a thing of value, to wit: a 2013 Nissan Versa,



that thing of value being of such character as to manifest a substantial and improper influence upon CHARLES READER with respect to his duties, in violation of Section 102.03(D) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree

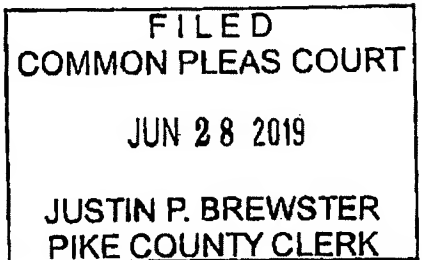
COUNT FIVE

CHARLES READER, during a period of time beginning August 19, 2017 through November 9, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, by deception, did cause another to execute a writing, to wit: title to a 2013 Nissan Versa, that disposed of or encumbered property, the value of the property or the obligation involved being one thousand dollars (\$1,000.00) of more and less than seven thousand five hundred dollars (\$7,500.00) in violation of Section 2913.43(A) of the Ohio Revised Code.

Securing Writings by Deception- A felony of the fifth degree

COUNT SIX

CHARLES READER, during a period of time beginning August 19, 2017 and ending November 9, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did knowingly commit a theft offense, to wit: Securing Writings by Deception, in violation of Section 2913.43 of the Ohio Revised Code, CHARLES READER having used his office in aid of committing the offense, when the value of the



property or services stolen is one thousand dollars (\$1,000.00) or more and is less than seven thousand five hundred dollars (\$7,500.00), in violation of Section 2921.41(A)(1) of the Ohio Revised Code.

Theft in Office- A felony of the fourth degree

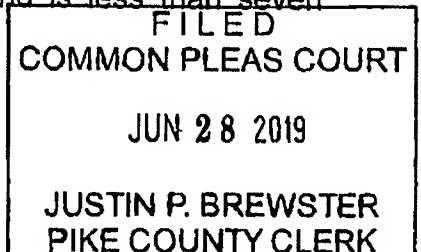
COUNT SEVEN

CHARLES READER, on or about August 19, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, and with purpose to deprive the owner of property or services, did knowingly obtain or exert control over the said property or services by deception, when the value of the property or services stolen is one thousand dollars (\$1,000.00) or more and is less than seven thousand five hundred dollars (\$7,500.00), in violation of Section 2913.02(A)(3) of the Ohio Revised Code.

Theft- A felony of the fifth degree

COUNT EIGHT

CHARLES READER, on or about August 19, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did knowingly commit a theft offense, to wit: Theft, in violation of Section 2913.02 of the Ohio Revised Code, **CHARLES READER** having used his office in aid of committing the offense, when the value of the property or services stolen is one thousand dollars (\$1,000.00) or more and is less than seven



thousand five hundred dollars (\$7,500.00), in violation of Section 2921.41(A)(1) of the Ohio Revised Code.

Theft in Office- A felony of the fourth degree

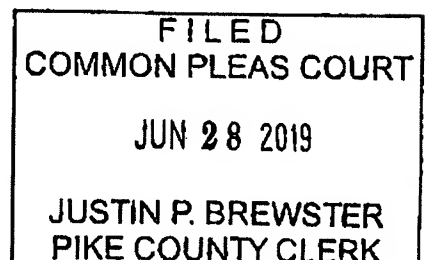
COUNT NINE

CHARLES READER, on or about August 19, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly use or authorize the use of the authority or influence of his office to secure a thing of value, to wit: a 1991 Chevrolet Silverado, that thing of value being of such character as to manifest a substantial and improper influence upon CHARLES READER with respect to his duties, in violation of Section 102.03(D) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree

COUNT TEN

CHARLES READER, between the time period of August 19, 2017 through December 15, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, and with purpose to deprive the owner of property or services, did knowingly obtain or exert control over the said property or services by deception, when the value of the property or services stolen is less than one thousand dollars (\$1,000.00), in violation of Section 2913.02(A)(3) of the Ohio Revised Code.



Theft- A misdemeanor of the first degree

COUNT ELEVEN

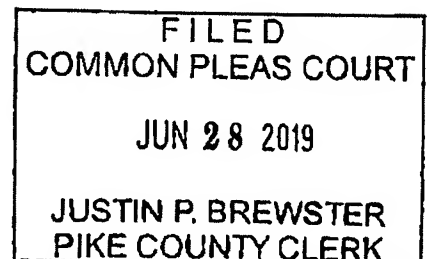
CHARLES READER, between the time period of August 19, 2017 through December 15, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did knowingly commit a theft offense, to wit: Theft, in violation of Section 2913.02 of the Ohio Revised Code, **CHARLES READER** having used his office in aid of committing the offense, when the value of the property or services stolen is less than one thousand dollars (\$1,000.00), in violation of Section 2921.41(A)(1) of the Ohio Revised Code.

Theft in Office- A felony of the fifth degree

COUNT TWELVE

CHARLES READER, on or about June 26, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly solicit or accept a thing of value, to wit: did request and/or accept a loan of \$1,500.00 from William Stansberry, Jr. who, at the time, was an employee of the Pike County Sheriff's Office, that thing of value being of such character as to manifest a substantial and improper influence upon **CHARLES READER** with respect to his duties, in violation of Section 102.03(E) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree



COUNT THIRTEEN

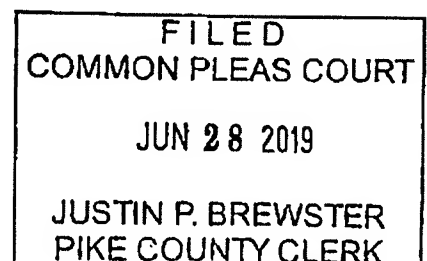
CHARLES READER, on or about October 18, 2017, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly solicit or accept a thing of value, to wit: did request and/or accept a loan of \$1,000.00 from Frederick L. Foill III who, at the time, was a vendor of Pike County, that thing of value being of such character as to manifest a substantial and improper influence upon CHARLES READER with respect to his duties, in violation of Section 102.03(E) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree

COUNT FOURTEEN

CHARLES READER, during a period of time beginning May 1, 2018 and ending June 30, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly solicit or accept a thing of value, to wit: did request and/or accept a loan of \$2,500.00 from Ryan Bentley who, at the time, was an employee of the Pike County Sheriff's Office, that thing of value being of such character as to manifest a substantial and improper influence upon CHARLES READER with respect to his duties, in violation of Section 102.03(E) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree



COUNT FIFTEEN

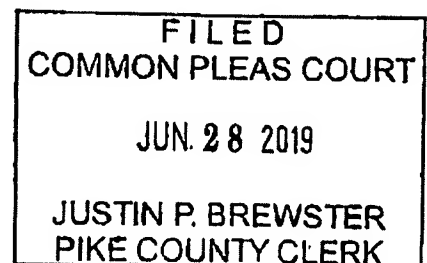
CHARLES READER, on or about August 7, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly solicit or accept a thing of value, to wit: did request and/or accept a loan of \$2,000.00 from Jim Dixon who, at the time, was an employee of the Pike County Sheriff's office, that thing of value being of such character as to manifest a substantial and improper influence upon **CHARLES READER** with respect to his duties, in violation of Section 102.03(E) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree

COUNT SIXTEEN

CHARLES READER, on or about August 26, 2018, at the County of Pike, and in the State of Ohio, or by some manner enumerated in Section 2901.12 of the Ohio Revised Code whereby proper venue is placed in the County of Pike, in his capacity as a public official, to wit: Sheriff of Pike County, Ohio, did recklessly solicit or accept a thing of value, to wit: did request and/or accept a loan of \$2,000.00 from Frederick L. Foill III who, at the time, was a vendor of Pike County, that thing of value being of such character as to manifest a substantial and improper influence upon **CHARLES READER** with respect to his duties, in violation of Section 102.03(E) of the Ohio Revised Code.

Conflict of Interest- A misdemeanor of the first degree



Contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Ohio.

Robert F. Smith

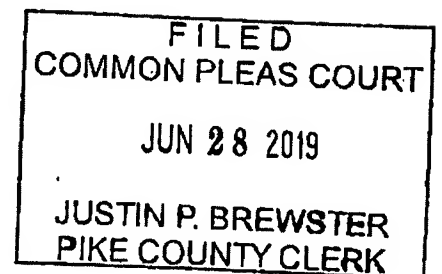
ROBERT F. SMITH (0023434)
Special Prosecuting Attorney

A True Bill:

Mrs. Mrs.

FOREPERSON OF THE GRAND JURY

I certify that this is a true and correct copy of the original filed in my Office on <u>6-28-2019</u>	
JUSTIN P. BREWSTER, CLERK	
BY: <u>Hanner Hobbs</u>	Deputy Clerk
DATE: <u>6-28-2019</u>	

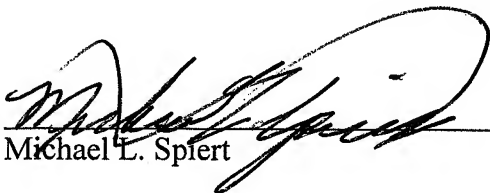


AFFIDAVIT

I, the undersigned Michael L. Spiert, hereby swear and affirm to the following:

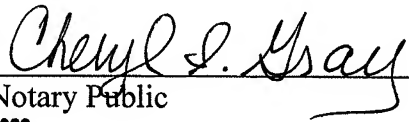
1. Affiant is currently, and has been for the past 8 ½ years, Chief of Investigations for the Ohio Auditor of State's Office, Special Investigations Unit;
2. Affiant is responsible for criminal investigations that result from allegations of criminal misconduct made to the Auditor of State's Office;
3. Affiant is a retired Franklin County Deputy Sheriff with 31 years' experience;
4. Affiant has conducted hundreds of criminal investigations in both state and federal investigations;
5. Affiant is a 2001 graduate of the FBI National Academy;
6. Affiant directed the investigation into allegations made against Pike County Sheriff, Charles Reader;
7. The results of said investigation are summarized in the Prosecutor Case Summary attached hereto and incorporated by reference and made a part of this Affidavit;
8. The information related in the attached Prosecutor Case Summary is a true and accurate recitation of the information obtained during the investigation into Sheriff Charles Reader to the best of my knowledge.

FURTHER AFFIANT SAYETH NAUGHT.


Michael L. Spiert

Sworn to and subscribed in my presence this 1st day of July, 2019.



CHERYL SUE GRAY 
Notary Public, State of Ohio Notary Public
My Commission Expires 07-21-2023



Special
Investigations
Unit

PROSECUTOR CASE SUMMARY

PIKE COUNTY SHERIFF'S OFFICE Case Number: 2018-CA10428

On Friday, November 9, 2018, the Auditor of State (AOS) received an anonymous complaint on the agency fraud hotline complaint website of alleged misconduct by Pike County Sheriff, Charles S. Reader. The misconduct includes allegations of his mishandling evidence monies and using it for personal use, borrowing monies from employees and the public without paying them back, allowing his daughter to drive cars from the Pike County Sheriff impound lot, being unstable and threatening people. This case was immediately assigned to the Public Integrity Assurance Team (PIAT), now known as the Special Investigations Unit (SIU). AOS SIU is responsible for criminal investigations that result from audits performed by the AOS. In November of 2018, AOS SIU began an investigation of the Pike County Sheriff's Office and Sheriff Reader for theft of public funds.

On December 13, 2018, a search warrant was obtained and executed upon the Pike County Sheriff's Office (PCSO) by the Waverly Police Department, assisted by AOS Investigators. Sheriff Reader was advised he was free to stay or go if he wished after he was served with the search warrant. Sheriff Reader was cooperative in allowing access to a safe under his desk, of which AOS SIU inspected. There was no money in the safe located under Sheriff Reader's desk, only a couple unrelated documents. Sheriff Reader also allowed access to a larger safe located in an adjacent office (Lt. J. Burchett's office) which he stated was for evidence from larger cases. This larger safe was also inspected. Evidence observed by AOS SIU inside this safe included that from one case involving thousands of dollars and included weapons. All items in this safe appeared to be accounted for and had evidence sheets with them. Sheriff Reader was asked if any drug/money seizures are to be in the Evidence Inventory log books that Major D. Roosa (Property Room Supervisor) maintains at the Pike County Sheriff's Property Room (Property Room), Sheriff Reader stated, "Should be." When asked if there is confiscated money maintained as evidence at the Property Room, Sheriff Reader said, "it's out there".

During the execution of the search warrant, Sheriff Reader explained to AOS Investigators that his wife is threatening to divorce him over his gambling. He stated he just went the previous Saturday to Eldorado Scioto Downs with his wife. He said he started gambling more during the Rhoden homicide investigation (in 2016) when he was staying up late at night and couldn't sleep. He said he's most concerned about his marriage right now. Sheriff Reader pulled out his Eldorado Scioto Downs Player Card from his wallet and showed that to AOS Investigators.

In November 2018, AOS Investigators contacted Supervisors with the Ohio Casino Control Commission (OCCC) and Eldorado Scioto Downs Racino regarding Sheriff Reader's gambling frequency and for gambling records related to Charles Reader. OCCC Supervisor Lloyd Zoellner and Intelligence Analyst Geoff Keener provided casino visit and gambling detail. The records provided indicated Charles Reader visited the Hollywood Casino Columbus on 12/02/17 and lost \$739 dollars.

Eldorado Scioto Downs Supervisor Will Scott provided an Annual report of Activity on Sheriff Reader's account for 2016, 2017 and 2018. He further stated that Sheriff Reader frequents Scioto Eldorado Downs on average, 3-5 times per month. Sheriff Reader's loss amount has steadily increased over the last three years at the Eldorado Scioto Downs Racino, more than doubling each year, as his losses were recorded as \$595.37 for 2016, \$5,526.96 for 2017 and \$11,033.54 for 2018.

TAMPERING WITH EVIDENCE/TAMPERING WITH RECORDS/THEFT IN OFFICE

On December 14, 2018, Sheriff Charles Reader's Attorney, James T. Boulger, spoke with Special Prosecutor Robert Smith and explained that Sheriff Reader would like to meet with AOS Investigators, as he has something that should have been in the safe located in his (Sheriff Reader) office under his desk and wanted to turn it over to AOS. On December 20, 2018, AOS Investigators met with Mr. Boulger and Sheriff Reader at Mr. Boulger's office in Chillicothe. Mr. Boulger turned over for Sheriff Reader an accordion file containing several evidence envelopes containing seized U.S. currency related to drug cases he explained were still open. Mr. Boulger stated the currency is in the lawful possession of the Sheriff's Office, and legally released the contents of the accordion file. Mr. Boulger explained along with the currency in the accordion file were incomplete investigative reports, two discs that recorded video of cash counts for seized currency, and a thumb drive with a video showing a cash count of drug buy monies from two different accounts (the PCSO drug buy funds and the Pike County Drug Task Force drug buy funds).

Mr. Boulger was asked why the contents of the accordion file were not secured or present in the Sheriff's safe, located under his desk, during the execution of the search warrant. Mr. Boulger replied he wasn't in a position to address that question. This accordion file contained fourteen (14) evidence bags containing monies. Neither Mr. Boulger nor Sheriff Reader advised AOS investigators that any of the evidence envelopes had been tampered with or altered in any manner. One of the evidence bags identified with April Smith's name on it appeared to be tampered with. Chief Spiert had to cut the side of the evidence bag in order to remove the currency and count it. Upon reviewing this evidence bag, it appeared the bag was initially sealed, then resealed (Exhibit A). Upon further review, it appears the back of the evidence bag had been attempted to be heat sealed. This bag reflected that it contained \$6,020. The money was removed from the bag by Chief Spiert cutting the bag at the side and the money was dually counted with Mr. Boulger and/or Sheriff Reader present.

On December 13, 2018, a subpoena was issued to PCSO requesting all records of seizures of monies, property, vehicles, and/or equipment executed by the Sheriff's Office during the Period, including but not limited to the following:

- a. Policies and procedures regarding seizures or forfeitures;
- b. The date of seizure and amount of monies or property seized or acquired;
- c. The disposition of the monies or property, including information regarding the manner in which disposed;
- d. An itemized list of the specific expenditures made with forfeited funds.

AOS Investigators reviewed the video of PCSO Deputy Cottrill and Lt. Burchett, conducting a money count of the currency (\$6,020) turned over to them by Sheriff Reader, which he received from Brian Carter (April Smith's father) on 6/22/17. The money in the video was clearly different than the money turned over by Atty. Boulger. In the video, there was a stack of twenty dollar bills (\$20.00) that had been well circulated, and folded in the middle, creating a larger stack (Exhibit B). After careful examination of the currency in the evidence bag in the possession of AOS, it was determined out of the \$6,020 there was \$2,040 in twenty dollar bills that were crisp and appeared to be newer bills which contained numerous serial numbers in sequential order (Exhibit C). At no time during the meeting with Sheriff Reader and his attorney on December 20, 2018 did either one advise AOS investigators that the evidence bag containing these funds had been tampered with or that the funds had been removed and substituted with other funds. The money was then re-secured at the AOS Property Room in a secured safe.

AOS Investigators interviewed currently incarcerated Richie Smith, Richie Smith's ex-wife April Carter Smith, Brian Carter and his wife. The facts as presented by these witnesses indicate that on June 22, 2017, Sheriff Reader, Deputy Clemmons and Lt. Burchett came to their residence located at 5962 Blain Highway, Chillicothe, Ohio, and seized \$600 cash and a Chevrolet Tahoe. Mr. Carter recalled being given a receipt for the money. Mr. Carter stated he advised Sheriff Reader that the rest of the money he was looking for was at his son Colton's residence, located at 188 Rainbow Trail, Waverly, Ohio, where Brian Carter turned over \$6,020 to Sheriff Reader.

On February 11, 2019, recently promoted Capt. Burchett was interviewed and recalls that he was given the money from the seizure when deputies returned to the Sheriff's Office. Capt. Burchett and Deputy Cottrill then counted the money, as evidenced by the video of the money count that he recorded. Burchett stated after he counted the money and Deputy Cottrill conducted the secondary count, he sealed the bag and handed it directly to Sheriff Reader.

On December 20, 2018, Major Roosa, Supervisor of the Property Room, stated that in March of 2018, Sheriff Reader told everyone in the department that he wanted all cash money seized routed to him and kept in his safe in his office. Maj. Roosa was only aware of four (4) cases that Sheriff Reader had

held money on. Major Roosa said he never saw any paperwork on the seizure of the funds Sheriff Reader had claimed to have seized from April Smith/Brian Carter.

On March 30, 2019, Capt. Burchett was re-interviewed and shown the photos taken from the video he recorded of the money count on June 22, 2017 related to April Smith/Brian Carter. He noted how the bills were all folded over. He was then shown the photos of the money Sheriff Reader turned over with his attorney to AOS on December 20, 2018. Capt. Burchett explained there were no creases in any of the bills, noting they looked like they came from a bank. Capt. Burchett explained he's never taken drug money as evidence that looked neat, crisp and new. Capt. Burchett insisted several times, "That is NOT the money I counted guys." He stated the bags shouldn't have looked like that. He insists he is very particular and tries to seal the bags very neatly. Capt. Burchett kept repeating, "He stole the f***ing money." Capt. Burchett also stated he had never seen the accordion file containing seized monies, which was turned over to AOS by Sheriff Reader.

On March 27, 2019, AOS conducted a phone interview with Robert Cornwell, President of the Buckeye State Sheriff's Association. AOS asked Mr. Cornwell if he had recently spoken to Sheriff Charles Reader. Mr. Cornwell said that he had a recent phone conversation with Sheriff Reader. Mr. Cornwell said Sheriff Reader told him that he had counted some drug money that was seized when no one was around. Sheriff Reader asked Mr. Cornwell if that was a problem. Mr. Cornwell said he told Sheriff Reader that he had violated the chain of custody of evidence. Mr. Cornwell stated that was the extent of their conversation.

On September 21, 2016, a forfeiture hearing came before Judge Randy Deering in Pike County Court of Common Pleas on Case 2015CR000132 -State of Ohio v April Hill Estep. A copy of the transcript was obtained of this hearing. Beginning on page 6 of this transcript, line 19, Sheriff Reader testified, "Uh, so from this point, due to the confusion, and the trouble that it's caused the Court and the Prosecutor's Office, from this point anytime that my office does a search warrant and money is collected, I am immediately going to open an account just for that particular case, to put the money in, and it will rest there until the case is resolved. And then from there, we can get a cashier's check, and do what the Order says."

According to the Pike County Sheriff's Office "Personnel Policy and Procedures Manual" updated June 19, 2017, on page 438, Section IX Accountability Requirements for Money Found or Confiscated (A) states, "An account at a local bank shall be set up in the name of the Pike County Sheriff's Office, and all money found or confiscated shall be placed in that account."

THEFT/THEFT IN OFFICE/CONFLICT OF INTEREST/SECURING WRITINGS BY DECEPTION – 2013 Nissan Versa

During this investigation, an irregularity was learned regarding a vehicle that had been impounded by the Pike County Sheriff's Department on June 29, 2015 and sold at the Sheriff's auction on August 19, 2017. The vehicle being a 2013 Nissan Versa had been impounded after the initial traffic stop and eventually seized by the Pike County Sheriff's Office. The driver, identified as Gary Scott Gose, who is the grandson of the owner Patsy Cheney, was taken to the Sheriff's Department after being stopped due to possible driving under the influence. Mr. Gose was taken into custody and the vehicle was impounded. A short time later Mr. Gose was released due to testing below the limits for DUI. On June 7, 2016 a certified letter (written on April 21, 2016) was sent to Ms. Cheney at an address in Rush Springs, Oklahoma. The letter requested the owner to respond within 10 days from the date of mailing to reclaim the vehicle. Upon payment of any expenses or charges incurred in its removal and storage the vehicle would be returned to the owner. If not claimed within the 10 day period the vehicle would be declared a nuisance and disposed of. It should be noted that further investigation indicated Ms. Cheney wasn't living in Oklahoma when the letter was sent, in fact, Ms. Cheney was residing outside of Waverly with her daughter and family on the date of the initial traffic stop.

On June 30, 2016 Pike County Sheriff Deputy Major Roosa filed an Unclaimed and Abandoned Junk Motor Vehicle Affidavit and received a salvaged title giving the ownership to the Pike County Sheriff's Office. The Versa was then utilized at the Sheriff's Office as a pool car.

On August 25, 2016 the title was transferred from the Pike County Sheriff's Office to the Pike County Commissioners who until November 9, 2017 had possession of the title. On this date, Frederick L Foill III aka Chip Foill took possession of the title and had the vehicle titled in his name. The investigation has shown that Mr. Foill bought this vehicle at the August 19, 2017 auction but failed to have the vehicle titled in his name until months later. The title history shows that on or about November 13, 2017 the vehicle was then sold to Carla M. Webb, 149 Frazier Way, Waverly, Ohio.

On March 10, 2017, according to documents obtained from the Commissioners' Office, the 2013 Nissan Versa was supposed to be traded for a 2007 Impala at Dyke Used Cars as requested by Sheriff Reader. The tags were traded out and the vehicle insurance was removed at that time from the Nissan Versa as confirmed by Raymond McComas with Kinder Insurance. This trade never occurred, as the Nissan remained with the Sheriff's Office and it was included in the August 19, 2017 Pike County Sheriff's Office.

Mr. Foill had been requested by Pike County Sheriff Charles Reader to purchase this vehicle at the August 2017 auction. Sheriff Reader provided Mr. Foill with the necessary cash to bid on and buy this vehicle, approximately \$3,500. Cpl. Adam Ball stated that Sheriff Reader told him to "dull down" and dirty up the vehicle to look like others in the sale. In doing this, Cpl. Ball removed the hubcaps, as he understood Sheriff Reader wanted to ensure that the selling price would be less than what would be normally bid for this vehicle and attract less interest from buyers. Maj. Roosa stated when he heard Auctioneer Brewster say the Nissan didn't have a key, he tried to convey to

Auctioneer Brewster that was false, but Mr. Foill hushed him. These actions ensured that the selling price would be less than what would be normally bid for this vehicle and drew a much less interested group of buyers. Brewster stated he was interested in the Versa and would have bid \$3,000 for it if he had known they had the keys for it. Documents received from this auction show Mr. Foill bidding and purchasing this vehicle for \$2,000.

At an unknown date after being purchased by Mr. Foill, the vehicle was removed from the lot outside the impound lot and taken by Sheriff Reader for himself. Within weeks, October 11th and October 15, 2017, Sheriff Charles Reader and his daughter Kaylea Reader posted several pictures of a Nissan Versa for sale on Facebook. On one of the two October 11, 2017 postings/photos Charlie Reader had posted that the car had been sold. In an interview with Mr. Foill, he did substantiate that Sheriff Reader had provided him with the cash necessary to purchase this vehicle.

Mr. Foill went to the Pike County Commissioners Office and received the title for the Nissan Versa. Initially, the Commissioners refused to title the car to Foill after they found out Sheriff Reader ended up with the vehicle. Mr. Foill had to go to Prosecutor Junk to have him convince and direct the Commissioners to transfer the title. Mr. Foill proceeded to have the title placed in his name on November 9, 2017 and four (4) days later signed the title over to Ms. Carla Webb for \$5500. Ms. Webb purchased the vehicle from Sheriff Reader.

By Sheriff Reader instructing individual(s) to "dirty" the vehicle and lose the keys, Mr. Foill on the Sheriff's behalf was able to purchase and subsequently sell this vehicle for a \$3500 profit. In reviewing Auctioneer Brewster's statement, when questioned he stated if the key had been with the car it would have sold for up to \$4000 if not more. In reviewing the statement by Pike County Prosecutor Rob Junk, after being presented with these facts, it was his opinion that the Sheriff's actions were a deliberate attempt to devalue the car. By doing so, Sheriff Reader was responsible for a lower auction price received by the county and a loss of additional funds. Thereby failing to maximize the potential sale/profit for the citizens of Pike County which Sheriff Reader personally profited from.

THEFT/THEFT IN OFFICE/CONFLICT OF INTEREST - CHEVROLET SILVERADO

On or about April 19, 2019 information was received by Auditor of State Investigators advising that a woman, identified as Adelle Crews was asked by Sheriff Reader to purchase a vehicle for him at the 2017 Pike County Sheriff's auction. Ms. Crews and her boyfriend Pike County Special Deputy John Koeppel were approached by Sheriff Reader and were asked to bid on a 1991 Chevrolet Silverado for him. The initial information indicated that Sheriff Reader wanted the vehicle for a family member. Ms. Crews did successfully bid on the Chevrolet Silverado for Sheriff Reader, but it was Dep. Koeppel who paid the \$350 to Sheriff Reader and Sheriff Reader agreeing to pay him back. At an unknown date and time after the auction, Sheriff Reader took possession of the Silverado. Dep. Koeppel was never reimbursed the \$350 by Sheriff Reader he spent buying this truck.

A search of a vehicle data base created from impound records, auctions, and Bureau of Motor Vehicle (BMV) records did show that a 1991 Chevrolet Silverado, VIN# 2GCEC19H4M1163045, was purchased and titled to Blaise Reader (Sheriff Reader's father), on December 15, 2017. The title history of this vehicle shows that the previous owner was the Pike County Sheriff's Department who had taken possession on May 2, 2017. Pike County Sheriff impound and auction records show this vehicle being impounded on April 19, 2016 and sold at the Sheriff's auction on August 19, 2017. The BMV title history lists Tyler Meddock as the owner at the time this vehicle was impounded, however, Pike County Sheriff impound records list Jamie Cox as the owner. A review of the Pike County Vehicle Inventory/Custody Report reflects Deputy Clemmons as the impounding and reporting officer. The report lists Joseph Stewart as the driver who at the time Dep. Clemmons stopped him was under suspension. This report further lists the owner as Jamie L. Cox, 11024 State Route 124 Apt A, Piketon, Ohio 45681. A LEADS report produced by Dep. Clemmons on 4-19-16 and maintained within the vehicle's impound records shows Ms. Cox being issued a title on March 21, 2016 for a 1991 Chevrolet Silverado VIN# 3045. On this report, the word "owner" is hand written indicating Ms. Cox is recognized by the Sheriff's Department as the owner. Both the LEADS printout and impound record list Ms. Cox's address as 2898 Lapperell Rd, Peebles, Ohio 45660.

On March 1, 2017 a letter was sent from the Pike County Sheriff's Department to Tyler Meddock advising he needed to claim his 1991 Chevrolet Silverado, VIN# 3045 within ten (10) days or it will be declared a nuisance and disposed of. A BMV Unclaimed and Abandoned Junk Motor Vehicle Affidavit was filed by Sheriff Deputy Major Roosa listing Tyler Meddock as the owner with an impound date of March 19, 2013.

On August 19, 2017 the Pike County Sheriff's Department held an auction at their impound lot. The Buyer's Registration sheet does indicate Linda Crews, aka Adelle Crews, of Lucasville, Ohio as buyer #21. Further records maintained by auctioneer Thomas Brewster list buyer #21 as the purchaser of a 91 Chevy truck for \$350. Also located on this under the item or lot number is the #17 which does correspond with the number on the cover of the Sheriff's impound envelope.

Approximately four weeks after the auction, Ms. Crews and Dep. Koeppel proceeded to the Pike County Sheriff's Office to retrieve the title to the Chevrolet Silverado. Since the date of the auction, neither individual had been contacted nor was paid the \$350 by Sheriff Reader. Once at the Sheriff's

Department Ms. Crews presented administrative secretary Theresa Parmeter the paperwork from the auction showing that she had purchased and was the owner of the Silverado. Ms. Crews was told by Ms. Parmeter that Sheriff Reader had earlier directed her to place the title to this vehicle in his father's name, Blaise Reader.

On December 15, 2017 Ms. Parmeter notarized the Chevrolet Silverado title while listing the owner as Blaise Reader. Mr. Blaise Reader did on this date sign the title acknowledging that he is the current owner and that he purchased the vehicle for \$300. Also found on this title is the Sheriff, Charles Reader, signature in which he is authorizing the transfer of this title from the Pike County Sheriff's Office to his father Blaise Reader.

Sheriff Charles Reader has failed to reimburse Dep. Koeppel the \$350 as agreed upon at the time of the purchase. Furthermore, Sheriff Reader knowingly had Ms. Parmeter place his father's name on the title as the owner of the 1991 Chevrolet Silverado, VIN# 3045, when in fact neither Sheriff Reader nor Blaise Reader had the legal authority to do so.

CONFLICT OF INTEREST / LOANS FROM EMPLOYEES AND VENDORS

On December 13, 2018, Auditor of State Investigators executed a search warrant on the Pike County Sheriff's Office (PCSO) of Sheriff Charles Reader. At that time, Sheriff Reader admitted he had taken loans from former Chief Deputy Jim Dixon, Deputy Bill Stansberry, and local businessman Chip Foill.

Further investigation revealed that Sheriff Reader frequently went to his employees and local businessmen to borrow money. These loans from PCSO employees and vendors violates Ohio Revised Code 102-03 (D) & (E).

In 2017, PCSO Chief Deputy Jim Dixon loaned Sheriff Reader \$500. This loan was repaid.

On June 26, 2017, Pike County Deputy William Stansberry loaned Pike County Sheriff Charles Reader \$1,500 in the form of a check from his business account while he was an employee under Reader's charge.

On October 18, 2017, Frederic "Chip" Foill III, co-owner of Foill Inc. to include RKJ Fabrication, loaned Sheriff Reader \$1,000, during which period of time Foill had business dealings with Pike County S.O. Foill indicated that he is Vice President of Foill, Incorporated. Foill Inc. is a general contracting company that handles site work and utilities contracts. Foill Inc. has handled about 70 projects for Pike County (unrelated to the Pike County Sheriff) office in the last fifteen years. These projects included bridge, sewer, and road work. All of the projects are bid contracts through Pike County. A second company RKJ handles non-union work. Foill indicated that they do service work for Sheriff's vehicles and fabrication work for the jail and court house. Foill stated that he has known Sheriff Charles Reader for approximately 7 years. For this loan, \$300 was transferred directly from Foill's account to Reader's checking account and \$700 was provided directly to Reader in cash.

Between May-June 2018, Pike County SO Major Bentley loaned Pike County Sheriff Charles Reader \$2,500 in cash while he was an employee under Reader's charge.

On August 7, 2018, Deputy Chief Jim Dixon loaned \$2,000 cash to Sheriff Reader. Chief Dixon withdrew the cash from his Atomic Credit Union joint account with his wife, Sherry L. Dixon.

On August 26, 2018, Chip Foill loaned Reader \$2,000, given directly to him in cash.

On May 15, 2019, Sheriff Reader filed his 2018 Financial Disclosure form to the Ohio Ethics Commission. Sheriff Reader listed Dep. Stansberry and Deputy Chief Dixon among his personal loans.

TEAR HERE

Date

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